

[Ozone NAAQS Compliance]

Recently, EPA announced it would be extending the timeline for the 2015 ozone standards. In making that decision, the EPA cited several issues in need of further review.

I want to applaud you for your commitment to implement the standard without interfering with local decisions or impeding economic growth.

Thank you for this action and your consideration of these issues.

All counties in West Virginia now meet the 2015 standards, and we are proud of that progress.

Despite this fact, potential EPA actions threaten affordable, reliable energy in West Virginia.

It is my understanding that the decision does not change several other implementation steps and actions that states must still undertake.

- 1) Petitions from other states would require West Virginia electricity generators to address nonattainment areas in those states or join the Ozone Transport Commission, despite the fact EPA does not require those areas to address their contributions first.
- 2) States like West Virginia, while meeting the standard, must still submit a state plan to address its "Good Neighbor" obligations by October 2018.

This is complicated by the fact the prior Administration released flawed modeling projections to identify linkages between upwind and downwind areas in 2023. I brought a “visual aid” for the Committee to outline exactly what I am referencing.

States raised several concerns with the modeling projections. It is my understanding that EPA has not yet addressed the flaws in the modeling.

- Will you, as Administrator, commit to addressing state concerns regarding these interstate modeling results? This would go a long way to enabling states to submit approvable plans by the 2018 deadline.
- Do you agree that States, through the State Implementation Plan process, should be able to address interstate pollution?

[Follow up if there is time]

I noticed in your budget request, you have \$100.4 million allocated to compliance for NAAQS [*pronounced “NAX”*].

- How much of that is to assist counties with achieving attainment of the 2015 standards?
- How much is being proposed to assist with State Implementation Plans and other administrative efforts?